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PATENT

Attorney's Docket No. 38151/195944

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Hanley et al.
Appl. No.: 09/560,288
Filed: April 27, 2000
For: METHOD FOR PRODUCING HUMAN
INTERVERTEBRAL DISC CELLS

Group Art Unit: 1633
Examiner: J. Kerr

May 30, 2002

Commissioner for Patents
Washington, DC 20231

**SECOND PRELIMINARY AMENDMENT AND
REQUEST PURSUANT TO 35 U.S.C. § 135 and 37 CFR § 1.607
THAT AN INTERFERENCE BE DECLARED**

Sir:

This submission is supplemental to the Preliminary Amendment dated January 7, 2002, in the above-identified patent application. Please amend the application as follows:

In The Claims:

Please add new Claims 39-58.

39. (New) A method of treating a diseased or injured intervertebral disc having nucleus and annulus regions, comprising the steps of:

obtaining live intervertebral human disc cells;
culturing said intervertebral disc cells under conditions to propagate disc tissue; and
implanting said cultured disc tissue into a target disc area needing treatment in a human patient.

40. (New) The method according to Claim 39, wherein said live intervertebral disc cells are obtained from said human patient to be treated.